

**Remarks**

Applicants gratefully acknowledge the Examiner's determination that claims 158-171 contain allowable subject matter.

However, the Examiner rejected claims 172-183, 192-195 and 197-201 under 35 U.S.C. 102(e) as being allegedly anticipated by Yablon (U.S. 5,764,731). In response, claims 172 and 189 have been amended.

The invention is directed to a technique for use by a directory assistance service to facilitate communications between a caller and a called party. A caller who wishes directory assistance is connected to a directory assistance provider, e.g., an operator, to search for a destination telephone number desired by the caller. As part of the directory assistance service, the operator may initiate a connection to the destination telephone number for the caller. In accordance with an aspect of the invention, after a call has been terminated (e.g., the caller has terminated the call), the directory assistance service sends an alphanumeric page message to the caller's communications device if it is determined that the caller's device is capable of accepting such a page message, e.g., by checking attributes of the caller's telephone number in the directory assistance database. The page message may include, e.g., the name of the called party and the telephone number of the called party. *See* page 27, lines 15-30 of the specification.

In accordance with another aspect of the invention, a non-answering condition (e.g., a ring-no-answer condition) of the connection, initiated for the caller, to the destination telephone number is automatically detected. If such a condition occurs, a menu of options is played to the caller, and the caller may be provided with contact information including, e.g., the destination telephone number. *See* page 17, line 29 *et seq.* of the specification.

Yablon discloses a user telephone for receiving a telephone number from a remote source for storage therein. The user telephone includes a handshake/signal manager (HSM) for receiving coded telephone numbers in different protocols and formats, e.g., a

DTMF format, paging protocol, etc. from remote sources. However, nowhere does Yablon teach or suggest determining whether a caller has a device capable of receiving a message “based on data associated with the caller stored in a database,” as amended claim 172 now recite. In fact, Yablon teaches away from the claimed invention by having the HSM in the user device to poll a remote source to determine the format (e.g., DTMF, paging protocol, etc.) in which a telephone number is to be received from the remote source, without the remote source consulting a database for data associated with the caller to determine the capabilities of the caller’s device as in the claimed invention. *See* col. 14, line 47 et seq. of Yablon. As such, the claimed invention is not anticipated by Yablon. Nor is it obvious from reading Yablon. Thus, amended claim 172, together with its dependent claims, is patentable over Yablon.

In addition, nowhere does Yablon teach or suggest “automatically determining if a predefined condition relating to the status of the telephone call occurs,” as recited in claim 192. *A fortiori*, Yablon fails to teach or suggest “if the predefined condition occurs, (a) playing a menu of options to the caller, and (b) providing said contact information to the caller,” as claim 192 also recites. As such, the claimed invention is not anticipated by Yablon. Nor is it obvious from reading Yablon. Thus, claim 192, together with its dependent claims, is patentable over Yablon.

The Examiner also rejected claims 184-191 and 196 under 35 U.S.C. 103(a) as being allegedly obvious over Yablon in view of Greenspan. In response, claims 184 and 189 have been amended. Like amended claim 172, amended claims 184 and 189 each now recite “allowing the caller to receive an alphanumeric message ... when it is determined that the caller has a device for receiving the alphanumeric message based on data associated with the caller stored in a database,” which Yablon does not teach or suggest. Nor does Greenspan. As such, amended claims 184 and 189, together with their dependent claims, are patentable over Yablon in view of Greenspan.

Regarding claim 196, Yablon does not teach or suggest the above-discussed

**Serial No. 09/327,408**

limitations of claim 192 on which claim 196 depends. Nor does Greenspan. As such, claim 196 is patentable by virtue of its dependency on claim 192.

In view of the foregoing, claims 158-201, as amended, are believed to be in condition for allowance. Accordingly, reconsideration of these claim is requested and allowance of the application is earnestly solicited.

Respectfully,

By   
Alex L. Yip  
Attorney for Applicants  
Reg. No. 34,759  
212-836-7363

Date: February 22, 2005